DAO No. 74 of 2004

Hon'ble B.C. Kandpal, J.

Heard Smt. Beena Pandey, learned Standing Counsel for the State on the delay condonation application and perused the affidavit filed in support thereto.

The averments made in the accompanying affidavit are not sufficient. The delay in filing the appeal has not been properly explained by the State of U.P. It appears that the deponent who has filed the affidavit in support of the delay condonation application has taken the matter in a casual manner and did not care to explain the delay in filing the appeal in a sufficient manner.

I am also not satisfied with the grounds taken in the accompanying affidavit which may inspire confidence to allow the delay condonation application in filing the appeal.

Accordingly, the delay condonation application is rejected.

Consequently, the appeal also stands dismissed.

(**B.C. Kandpal, J.)**

28.10.2006

ASWAL